

FILED - MQ

November 30, 2020 9:48 AM
CLERK OF COURT
U.S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

BY: slk SCANNED BY: *slk* / 11-30-2020

**UNITED STATES COURT DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION**

JOHN F. LECHNER

Plaintiff

Case No. 2:20-cv-143

V

MAARTEN VERMAAT

Defendant

To: Clerk of the Court and U.S. Magistrate Judge Ray Kent,

Thank you for your **REPORT AND RECOMMENDATION**. More than anything else I want this corruption stopped. If you are upset about me heading this as a complaint, I think I am ok with you calling this a **Motion to Over Turn** this conviction procured by Fraud on the Court.

Also, thank you for not denying that Mr. Vermaat committed Fraud on the Court when he admitted that he knew that Lechner had a permit to purchase explosives, yet allowed testimony stating that Lechner never had a permit to purchase explosives. Mr. Vermaat knowingly allowed another witness to testify that Lechner forged the permit. Mr. Vermaat created false testimony that Lechner was flying cocaine from Cuba to Canada. These are criminal acts that are not protected by *prosecutorial immunity*.

Hazel-Atlas Glass Co. v Hartford-Empire Co. is a much cited case in most fraud on the court cases. The power to set aside a judgment exists in

every court. In whichever court the fraud was committed, that court should consider the matter. And, while parties have the right to file a motion requesting the court to set aside a judgment procured by fraud, the court may also proceed on its own motion. One court stated that the facts that had come to its attention "not only justify the inquiry but impose upon us the duty to make it, even if no party to the original cause should be willing to cooperate, to the end that the records of the court might be purged of fraud, if any should be found to exist. Unlike just about every other remedy or claim existing under the rules of civil procedure or common law, there is no time limit on setting aside a judgement obtained by fraud, nor can laches bar consideration of the matter. The law favors discovery and correction of corruption of the judicial process even more than it requires an end to lawsuits.

I am briefly going to address your concerns as they appear on your letter.

You state that Lechner has sued Magistrate Judge Maarten Vermaat.

Fraud on the court is a very serious crime. This is not a civil matter. Lechner is bringing this fraud on the court to the courts attention.

Fraud on the court occurs when the judicial machinery itself has been tainted, such as when an attorney, who is an officer of the court, is involved in the perpetration of a fraud or makes material misrepresentations to the court. Fraud upon the court makes void the orders and judgments of that court.

When a person brings Fraud on the Court to the Courts attention that it is the responsibility of the Court to get to the bottom of that FRAUD as it affects the

whole judicial system. It is not right for an officer of the court to run rogue to perpetuate a falsehood and corrupt the whole court proceedings’.

When Mr. Vermaat lied to the Court and encouraged witnesses to perjure themselves on the stand. This is a crime against the whole judicial system. Under Federal Law, when any officer of the court has committed “fraud upon the court” the orders and judgment of that court are void, of no legal force or effect.

Therefore, there should be a thorough investigation into the fraud which ultimately sent me to prison.

Sincerely,

A handwritten signature in cursive script that reads "John Lechner". The ink is dark and the signature is fluid.

John Lechner

John Lechner
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